

1995, under a unanimous-consent request.

The Civil Justice Reform Act of 1990 set up two programs to study various innovative programs in court management. One program involves so-called pilot courts, and the other involves what are referred to as demonstration districts. Those court programs were originally established for a 3-year period, with the studies conducted over a 4-year period and the resulting reports transmitted to Congress by December 31, 1995. The Rand Corp. has been carrying out the study of the pilot courts, while the Federal Judicial Center is conducting the study of the demonstration districts.

Last year, the pilot court programs were extended for an additional year, and the Rand Corp. received a 1-year extension for its study of those courts. That extension was included in the Judicial Amendments Act of 1994. Through an oversight, however, no extension was included for the demonstration districts.

S. 464 would grant the same 1-year extension for the demonstration districts as was granted for the pilot courts. This will make the two programs and their studies consistent so that the final reports can be directly compared. That was the intent behind the deadlines that were established when the two study programs were set up. This legislation will restore that end. Also, the extension of the deadline will improve the study, since more cases will be complete and included in the study.

Finally, this 1-year extension will entail no additional cost since the demonstration districts are planning to continue the programs under study in any event. S. 464 represents a sound judicial housekeeping proposal and I urge my colleagues' support for it.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the gentleman from California in supporting this bill, because it will help our Federal courts achieve greater efficiency and effectiveness.

The demonstration program that is the subject of this bill, involves five Federal district courts, that have been experimenting with various case management systems, and forms of alternative dispute resolution, since the program was established 4 years ago. At the same time, there is a parallel pilot court program, which is testing certain principles of litigation management and cost-and-delay reduction. These programs are testing a number of systems, in a manner that will permit the Federal judiciary to compare their relative effectiveness.

As the gentleman from California has explained, we extended the pilot program last year for 1 additional year, with a 1-year extension for the study that will evaluate that program. We inadvertently failed, however, to grant a

similar extension to the demonstration program. This bill will restore the demonstration program to the same time line that applies to the pilot program, making the two programs more directly comparable, and improving the studies of both programs, by ensuring that an additional year of court experience, is included in those studies. Thus, passage of S. 464 will enable our Federal courts to get the full benefit of these studies.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MOORHEAD. Mr. Speaker, I have no further requests for time, and I yield the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MOORHEAD] that the House suspend the rules and pass the Senate bill, S. 464.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 464, the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### CLARIFYING RULES GOVERNING VENUE

Mr. MOORHEAD. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 532) to clarify the rules governing venue, and for other purposes.

The Clerk read as follows:

S. 532

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. VENUE.

Paragraph (3) of section 1391(a) of title 28, United States Code, is amended by striking "the defendants are" and inserting "any defendant is".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes, and the gentleman from Virginia [Mr. SCOTT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 532 which is a technical corrections bill that was introduced by Senator HATCH and passed the Senate on March 30, 1995, under a unanimous-consent request. It is based on a proposal by the Judicial Conference of the United

States to correct a flaw in a venue provision, section 1391(a) of title 28 which governs venue in diversity cases. Section 1391(a) has a fallback provision—subsection (3)—that comes into play if neither of the other subsections confers venue in a particular case. Specifically, subsection (3) provides that venue lies in "a judicial district in which the defendants are subject to personal jurisdiction at the time the action is commenced, if there is no district in which the action may otherwise be brought."

The defect in this fallback provision is that it may be read to mean that all defendants must be subject to personal jurisdiction in a district in order for venue to lie. Under this reading, there would be cases in which there would be no proper venue. S. 532 would eliminate this ambiguity and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from California has explained the purpose of this bill, a technical amendment to ensure that in multidefendant cases, there is at least one Federal district where venue is proper.

The problem with the venue statute as it is currently written is that it is possible to read the language in such a way that there could be no Federal district court where venue is proper in some multidefendant cases. This bill resolves the ambiguity in that language, and ensures that venue requirements will not defeat the ability to bring a civil action in Federal court if subject matter and personal jurisdiction are available.

The Judiciary Committee heard testimony on behalf of the Judicial Conference of the United States supporting this bill. Having identified the ambiguity in the current venue provisions, it is important that we amend the language to ensure that there is at least one Federal district court where venue is proper in multidefendant cases. S. 532 achieves that end, and I urge its passage.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MOORHEAD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MOORHEAD] that the House suspend the rules and pass the Senate bill S. 532.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 532, the Senate bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### MEDISCAM, NOT MEDISCARE

(Mr. WYNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYNN. Mr. Speaker, in this town it seems it is always good to have a catch phrase. The latest catch phrase is "Mediscare," Mediscare, as though the cuts in Medicare were not really serious or not really painful. I think they are.

First, if you consider a premium increase of \$32 a month on a senior, I think that is pretty serious and pretty scary. If you consider that seniors will be forced to choose a doctor they can afford as opposed to the doctor they trust, I think that is pretty scary, when a senior is contemplating major surgery.

Third, if you contemplate the likely possibility that some hospitals will have to shut down, reduce services, or pass costs on to private patients, insured with private insurance, I think that is pretty scary.

When you hear the term "Mediscare," it should not be taken lightly. People say we have to do this to save the system. The trustees and the President suggest what we need is a modification, maybe \$90 to \$120 billion. But the Republicans are proposing \$270 billion. Why? So they can give a tax break to their rich friends.

If you make \$300,000, under this plan you are going to get back \$20,000 in tax breaks. This \$270 billion is not going back to save the trust fund. Not a penny will go back to the trust fund.

They mumble about the general fund. Translation: it is siphoned off for a tax break for the wealthy.

No, ladies and gentleman, the term should not be "Mediscare." It should be, "Mediscam," because that is what the American people are being subjected to in the latest Republican proposal on Medicare.

#### ENCOURAGING THE PEACE PROCESS IN SRI LANKA

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 181) encouraging the peace process in Sri Lanka.

The Clerk read as follows:

H. RES. 181

Whereas, the United States has enjoyed a long and cordial friendship with Sri Lanka;

Whereas as one manifestation of the warm ties between the United States and Sri Lanka, the First Lady of the United States visited Sri Lanka in April 1995;

Whereas Sri Lanka is a vibrant democracy whose government is committed to political pluralism, free market economics, and a respect for human rights;

Whereas the Liberation Tigers of Tamil Eelam ("LTTE") have waged a protracted secessionist struggle in Sri Lanka for nearly 12 years;

Whereas an estimated 30,000 people have died in Sri Lanka as a result of these hostilities;

Whereas the Department of State's report on global terrorism names the LTTE as a major terrorist organization;

Whereas the LTTE is widely believed to have engaged in political assassinations, including the murder in 1994 of a leading candidate for the Sri Lankan presidency, and the killing in 1993 of President Ranasinghe Premadasa;

Whereas the government of President Kumaratunga initiated a dialogue with the LTTE in 1994, and took a number of other steps to ease tensions and set the stage for negotiations between the government and the LTTE, including lifting the ban on the transit of many commodities to Jaffna;

Whereas a cessation of hostilities in Sri Lanka went into effect on January 8, 1995;

Whereas 4 rounds of peace talks between the government and the LTTE took place; and

Whereas in April 1995, the LTTE withdrew from these negotiations and resumed military operations against the Government of Sri Lanka that have resulted in hundreds of casualties, including many innocent civilians: Now, therefore, be it

Resolved, That the House of Representatives—

(1) notes with great satisfaction the warm and friendly relations that exist between the United States and Sri Lanka;

(2) applauds the commitment to democracy demonstrated by the Sri Lankan people, in defiance of brutal acts of wanton terrorism;

(3) commends the Sri Lankan people and the Government of Sri Lanka for the significant improvements in Sri Lanka in the area of human rights;

(4) applauds the cessation of hostilities in early 1995 between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam ("LTTE") and deplores the resumption of fighting;

(5) calls on the LTTE to desist in its resort to arms, and to return to the negotiating table;

(6) calls on all parties to negotiate in good faith with a view to ending the current armed strife in Sri Lanka and to finding a just and lasting political settlement to Sri Lanka's ethnic conflict while assuring the territorial integrity of Sri Lanka;

(7) believes that a political solution, including appropriate constitutional structures and adequate protection of minority rights, is the path to a comprehensive and lasting peace in Sri Lanka;

(8) denounces all political violence and acts of terrorism in Sri Lanka, and calls upon those who espouse such methods to reject these methods and to embrace dialogue, democratic norms, and the peaceful resolution of disputes;

(9) calls on all parties to respect the human rights of the Sri Lankan people; and

(10) states its willingness in principle to see the United States lend its good offices to help resolve the ethnic conflict in Sri Lanka, if so desired by all parties to the conflict.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska [Mr. BEREUTER] will be recognized for 20 minutes, and the gentleman from Maryland [Mr. WYNN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, located at the southern tip of the South Asia subcontinent, the tiny Indian Ocean island nation of Sri Lanka has, for the last decade and a half, been the site of one of the bloodiest ethnic wars. The conflict has pitted the separatist Liberation Tigers of Tamil Eelam—or Tamil Tigers—against the democratically elected government in Colombo, with at least 30,000—and possibly as many as 50,000—Sri Lankans of all ethnic persuasions perishing in this bloody conflict.

With both sides weary of the unrelenting bloodshed, a cessation of hostilities went into effect at the beginning of 1995, and the government and the Tamil rebels entered into a series of peace talks. Regrettably, this peace that was short lived, and the Tamil Tigers unilaterally resumed their attacks on April 19. The recent attacks have been particularly brutal, with a pair of transport aircraft being shot down, and a fishing village burned to the ground with massive loss of life.

In retaliation, the government has launched its inevitable offensive against Tiger-held territory, with government forces cutting a broad swath through positions long controlled by the rebels, thereby causing hundreds of casualties and displacing thousands of noncombatants.

This pattern of rebel offensives and government counteroffensives is all too familiar. Over the past dozen years, this cycle has been repeated time and time again. House Resolution 181 calls on the parties to break out of this vicious cycle of death and destruction. The resolution recognizes the good faith efforts of the Sri Lankan Government to work for peace, and commends the dramatic improvement in the government's human rights practices. It also denounces all acts of violence and terrorism, regardless of the perpetrator.

House Resolution 181 calls on the parties to negotiate in good faith with a view to ending the conflict and finding a just and lasting peaceful settlement to the ethnic divisions while assuring the territorial integrity of Sri Lanka.

The resolution also encourages the United States to lend its good offices to help in resolving the conflict, if so desired by the combating parties.

Mr. Speaker, this resolution passed unanimously out of the International Relations Committee. I would congratulate the ranking Democrat of the full committee, Mr. HAMILTON, for his initiative in drafting this resolution. First, it recognizes the very real efforts made by the ruling government to respect basic human rights and achieve a just peace. As House Resolution 181 notes, the resolution recognizes that improvements have indeed occurred.

Second, the resolution places the House squarely on the side of peace in a conflict that has been every bit as brutal as the war in Bosnia.

Mr. Speaker, this Member is pleased to cosponsor the excellent resolution of